

REMARKS

In the Office Action mailed June 28, 2005, the Examiner noted that claims 1-16 were pending, allowed claims 12-16 and rejected claims 1-11. Claims 1, 5-9 and 11-16 have been amended and, thus, in view of the forgoing claims 1-16 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejection is traversed below.

Claims 12-16 have been amended to improve form.

Page 2 of the Office Action rejects claims 1-11 under 35 U.S.C. § 103 over Weinberg and Nelson.

Weinberg discusses a system for testing the functionality of a transactional server. The Examiner asserts that Weinberg discloses "... an electronic text parsing unit parsing an electronic text transmitted from a program to be tested ..." and particularly notes Weinberg at col. 21, lines 10-13. This is not correct. The Examiner is requested to note that Weinberg at col. 21, lines 35-65 clarifies that the testscript of Weinberg is produced by a test tool after a user has finished editing the test (see particularly col. 21, lines 54-56).

In contrast, the electronic text parsed by the electronic text parsing unit of claim 1 is "transmitted from a program to be tested", a completely different source. Weinberg does not teach or suggest such.

The Examiner cites Nelson for a "stub unit". Nelson adds nothing to Weinberg with respect to the feature discussed above.

In particular, Nelson, in the text noted by the Examiner (Nelson, col. 4, lines 58-67 and col. 8, lines 30-33) calls for the stub to be in a separate executable and to act as a communication pathway between the main executable and the separate offending component.

In contrast, claim 1 emphasizes that the "stub program is provided in the program to be tested". Nelson does not teach or suggest such.

The other independent claims 5 and 9 –11 emphasize similar features.

It is submitted that claims 1-11 distinguish over the prior art and withdrawal of the rejection is requested.

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It is submitted that claims 12-16 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

Respectfully submitted,

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